

MINUTES  
TOWN OF FREDERICK  
PLANNING COMMISSION

Frederick Town Hall  
September 15, 2009  
7:30 p.m.

Attendance: Chairman Jeff Roehrig, Commissioners Donna Hudziak, Donald Hard, Alan Blair and John Loveless were present. Also present were Planning Director Jennifer Simmons and Assistant Town Attorney, Cyril Vidergar.

**ROLL CALL:** Chairman Roehrig called the regular meeting to order at 7:30p.m. Roll call was taken; all commissioners were present.

**ADDITIONS TO THE AGENDA:** There were no additions to the agenda.

**APPROVAL OF MINUTES FROM THE AUGUST 18, 2009 MEETING:**

Commissioner Hudziak made a motion to approve the minutes from the August 18, 2009 meeting. Commissioner Hard seconded the motion. All in favor, motion carried.

**CONSIDERATION OF THE HAUCK PRESERVE MINOR SUBDIVISION:**

Planner Jennifer Simmons presented the staff report by stating that Winston Associates, on behalf of Hauck Preserve at Idaho Creek LLC, has submitted an application for a minor subdivision. The property was approved for annexation in April 2008 with a zoning of Agricultural. The subdivision will plat the western 35.785 acres of land included in the annexation.

The project is located north of CR 16.5, west of Bulrush Boulevard/CR5. The majority of the property (35.132 acres) being platted is zoned Agricultural. Outlots D and G are zoned R-E, Estate, and comprise .653 acres total.

This property is surrounded by Agriculture/Weld County Agricultural to the North; Agriculture/Weld County Agricultural to the South; Vacant land/Estate District to the East; and Agriculture/Weld County Agricultural to the West.

Hauck Preserve at Idaho Creek has submitted an application for a minor subdivision. The plans have been referred to the following agencies as required by the Land Use Code: Frederick-Firestone Fire Protection District, St. Vrain Valley School District, Source Gas, United Power, Comcast, Qwest Communications, Carbon Valley Recreation District, Weld County Health Department and Environmental Health Services, Weld County Library District, Lefthand Water District, St. Vrain Sanitation District, US Post Office, Kerr-McGee, and Colorado Geological Survey.

The plat will affect 35.785 acres of land along the western side of the property. The remainder of the land that was annexed will remain unplatted at this time.

The review criteria for a minor subdivision states that the minor subdivision shall meet the review criteria applicable to preliminary plat stated in Section 4.7.4. There are six (6) criteria and all meet the requirements of the Land Use Code.

The requested plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Comprehensive Plan. It is consistent with the Concept Plan that

was approved in conjunction with the annexation. The project conforms to the Town's Zoning District Map, Comprehensive Land Use Map, and furthers the goals and policies of the Comprehensive Plan. This project preserves the rural character through the preservation of land to be used for agricultural uses. The residential portion of the project will add to the diversity of the Town's housing supply. There is no commercial development associated with this project. The Town's environmental quality is preserved and cultural and historical opportunities are enhanced through the agricultural opportunities preserved on the property.

This project was properly noticed according to the requirements of Section 4.5.8 of the Frederick Land Use Code.

The Commission may approve this application; deny this application or approve with conditions.

Staff recommends that the Commission consider recommending approval of the minor subdivision with conditions as outlined in PCR-2009-24C. These conditions are that all utility easements on the property must be recorded prior to recordation of the minor subdivision; all construction plans must be approved and accepted by the Town Engineer prior to recordation of the minor subdivision; all surface use agreements and any necessary amendments must be recorded prior to recordation of the minor subdivision; and a Memorandum of Agreement for Public Improvements must be completed and accepted by the Town Engineer prior to recordation of the minor subdivision.

Commissioner Hudziak asked what the outlots will be used for.

Planner Simmons said that outlots A and B would be pasture and grazing, outlots E and F are oil and gas, and outlot C would be pasture. The Annexation designated the outlot as preservation land which cannot be used as residential.

Bob Perletz, representative for the applicant, addressed the Commission by stating that all conditions listed are acceptable to the applicant. The Commission had no questions for Mr. Perletz.

Chairman Roehrig closed the regular meeting of the Planning Commission and opened the Public Hearing at 7:35PM.

There was no public comment.

Joseph Prinster, Civil Engineer for the project, said that Outlot C is impacted by flood plain from Idaho Creek.

Commissioner Blair asked if there were any flood plain issues.

Planner Simmons told the Commission that there are flood plain issues, but staff has worked with FEMA and the Building Department. Any lots will be required to get a FEMA review and approval. All lots will be serviced by septic, but all requirements have been met.

Chairman Roehrig asked if staff will require a licensed survey for each lot.

Planner Simmons confirmed that surveys would be required.

Chairman Roehrig closed the Public Hearing and re-opened the regular meeting of the Planning Commission at 7:38PM.

Commissioner Hudziak made a motion to recommend approval of PCR-2009-024C; "A Resolution of the Planning Commission Recommending Conditional Approval of the Hauck Preserve Minor Subdivision". Commissioner Blair seconded the motion. All in favor, motion carried.

**OTHER BUSINESS:**

Commissioner Hudziak and Planner Simmons attended a training class which was very good. Planner Simmons has an electronic copy and would like to present it at the next Planning Commission meeting.

On December 9<sup>th</sup>, 2009 and February 17<sup>th</sup>, 2010 there is Planning Commission Training put on by the American Planners Association in Ft. Collins. Please let Planner Simmons know if you would like to attend.

Planner Simmons hopes to have articles of the Land Use Code to review at a future meeting. Her goal is to have them by the end of the week and she will get a copy to the Commission for review for the October meeting. The 'church' situation will be addressed at that time.

The next Planning Commission meeting will be on 6 October 2009.

Commissioner Blair made a motion that the meeting be adjourned.

With no further business to discuss, the meeting was adjourned at 7:45PM.

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Jeff Roehrig, Planning Commission Chairman

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Kathy Larson, Secretary